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APPLICATION NO. FILING DATE		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/721,686 11/25/2003		Francois Kotian	14XZ129714/130264(GEMS-01 6159			
23413	7590	11/10/2005		EXAMINER		
CANTOR COLBURN, LLP				KAO, CHIH CHENG G		
55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002				ART UNIT	PAPER NUMBER	
				2882		
				DATE MAILED: 11/10/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/721,686	KOTIAN ET AL.		
Examiner	Art Unit		
Chih-Cheng Glen Kao	2882		

	Chih-Cheng Glen Kao	2882	
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress
THE REPLY FILED 21 October 2005 FAILS TO PLACE THIS A	APPLICATION IN CONDITION FOR	R ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, af tice of Appeal (with appeal fee) in	Appeal. To avoid aba fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THI 06.07(f).	g date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ce action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	ns of the date of e appeal. Since
3. The proposed amendment(s) filed after a final rejection, l (a) They raise new issues that would require further cor (b) They raise the issue of new matter (see NOTE belor (c) They are not deemed to place the application in bet appeal; and/or (d) They present additional claims without canceling a content of the second cont	nsideration and/or search (see NO w); ter form for appeal by materially re	TE below);	
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.14. The amendments are not in compliance with 37 CFR 1.125. Applicant's reply has overcome the following rejection(s) Newly proposed or amended claim(s) would be al non-allowable claim(s).	21. See attached Notice of Non-Co	·	
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-35. Claim(s) withdrawn from consideration:		II be entered and an e	explanation of
 AFFIDAVIT OR OTHER EVIDENCE The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(ls to provide a 1).
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attach	ned.
11. The request for reconsideration has been considered bu	t does NOT place the application i	n condition for allowa	nce because:
See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (13. Other:	(PTO/SB/08 or PTO-1449) Paper N	Vo(s)	
	Muc		

EDWARD J. GLICK SUPERVISORY PATENT EXAMINER Continuation of 3. NOTE: Regarding claims 9-19, 21, and 35, the added limitations of "the means for processing comprising means for continuously memorizing or storing a sequence of 2D images corresponding to a number of images necessary for reconstitution of a 3D model on a sliding window, and means for continuously implementing a method for reconstitution of a 3D model on this sliding window, without the limitations of "wherein the means for control is programmed to drive the mobile support along a repetitive continuous rotation movement around the means for supporting the object" raises new issues that would require further consideration and/or search. In other words, the limitations of cancelled claim 20 without all the limitations of claim 12 being incorporated into claim 9, raises new issues that would require further consideration and/or search.

Continuation of 11. does NOT place the application in condition for allowance because: In response to Applicants' argument that the references fail to show certain features of Applicants' invention, it is noted that the features upon which applicant relies (i.e. "repetitive movement of the entire cycle" or "a carrying out of the entire movment repetitively") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

Applicants further argue that Jensen et al. fails to teach or suggest periodically refereshing a 3D model. The Examiner disagrees. As seen in paragraph 53, Jensen et al. teaches improving upon the 3-D patient data set and also upon the patient slices and 3-D images being displayed. This improvement of 3-D images being displayed reads on a periodically refreshed 3D model. Therefore, Jensen et al. does teach or suggest periodically refreshing a 3D model (paragraph 53).

Applicants further argue that Jensen et al. does not teach or suggest memorizing or storing a number of images. The Examiner disagrees. As noted by Applicants, Jensen et al. discloses the continuous memorizing or storing of just a single image. The collective group of single images that were stored at different instances in time reads on a sequence of images continuously memorized or stored. As further pointed out by Applicants, Jensen et al. (paragraph.53, lines 11-13) discloses obtaining a new exposure for updating. This is considered as continuous, since the steps (fig. 8, #305-340) are repeated over and over continuously. This further creates a sliding window, since the 3D data and corresponding images continuously get updated. Therefore, Jensen et al. does teach or suggest wherein a sequence of 2D images is continuously memorized or stored, on a sliding window, corresponding to a number of images necessary for reconstitution of a 3D model, and processing is applied for continuous reconstitution of a 3D model on this sliding window.

Applicants' arguments are not persuasive, and the claims remain rejected.